

124951.1  
PATENT



UMICORE 0120-US

IEW / 11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: ZUBER *et al.* Examiner: To be assigned  
Serial No.: 10/699,158 Group Art Unit: 1748  
Filed: October 30, 2003  
For: Membrane Electrode Unit For Electrochemical Equipment  
Customer No.: 23719  
Customer Name: Kalow & Springut LLP  
488 Madison Avenue, 19th Floor  
New York, New York 10022

January 29, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO/SB/08A and B. Applicants do not admit that the references are "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such references. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information of which they are aware and believe relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

02/05/2007 AWONDAF1 00000086 10699158

01 FC:1806

180.00 0P

**Certificate of Mailing Under 37 C.F.R. 1.8**

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Mark Daly  
(Signature)

Mark Daly January 29, 2007  
(Printed Name of Person Signing Certificate) (Date)



### I. U.S. PATENT DOCUMENTS

Patent No.	Date Issued	Title
5861222 to FISCHER, <i>et al.</i>	January 19, 1999	Gas diffusion electrode for membrane fuel cells and method of its production
6309772 to ZUBER, <i>et al.</i>	October 30, 2001	Membrane-electrode unit for polymer electrolyte fuel cells and processes for their preparation
6500217 to STARZ, <i>et al.</i>	December 31, 2002	Process for applying electrode layers to a polymer electrolyte membrane strip for fuel cells
6613215 to MOLTER, <i>et al.</i>	September 2, 2003	Method for electrolysis of water using a polytetrafluoroethylene supported membrane in electrolysis cells
5187025 to KELLAND, <i>et al.</i>	February 16, 1993	Unitized fuel cell structure
6245454 to GOCHO, <i>et al.</i>	June 12, 2001	Fuel cell and method of installing linings on gas manifolds of fuel cell
5464700 to STECK, <i>et al.</i>	November 7, 1995	Gasketed membrane electrode assembly for electrochemical fuel cells

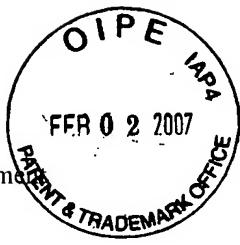
### II. U.S. PATENT APPLICATION PUBLICATION

Publication No.	Date Issued	Title
2003/0057088 A1 to ICHIKAWA MASAO, <i>et al.</i>	March 27, 2003	Water electrolysis cell

### III. FOREIGN PATENT DOCUMENTS

Publication No.	Country	Publication Date
EP 1 289 042 A2	EPO	05 March 2003
EP 1 289 042 A3	EPO	16 March 2005

Applicant: ZUBER, *et al.*  
Serial No.: 10/699,158  
Filed: October 30, 2003  
Supplemental Information Disclosure Statement  
January 29, 2007  
Page 3 of 3



Publication No.	Country	Publication Date
EP 0 951 086 A2	EPO	20 October 1999
EP 0 951 086 A3	EPO	17 October 2001
EP 0 951 086 B1	EPO	20 October 1999
JP 09289028 A JPO Abstr.	Japan	04 November 1997
JP 11045729 A JPO Abstr.	Japan	16 February 1999
WO 02/27845 A2	WIPO	04 April 2002

#### **IV NON-PATENT APPLICATION PUBLICATION**

International Search Report for PCT/EP2004/007794

Written Opinion of the International Searching Authority for PCT/EP2004/007794

Applicants draw the Examiner's attention to the following co-pending United States patent applications:

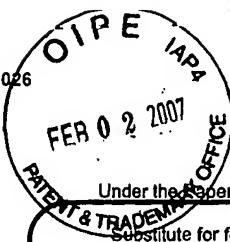
- U.S. Patent Application Serial No. 10/564,794 filed January 12, 2006; and
- U.S. Patent Application Serial No. 10/564,798 filed January 13, 2006.

Applicants enclose a check in the amount of \$180.00 for the filing of this Information Disclosure Statement. However, if a fee is deemed necessary, please charge Deposit Account No. 11-0171.

Respectfully submitted,

  
John J. Santalone  
Registration No.: 32,794  
Attorney for Applicant

Kalow & Springut LLP  
(212) 813-1600.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

3

## Complete if Known

Application Number	10/699,158
Filing Date	October 30, 2003
First Named Inventor	ZUBER, Ralf
Art Unit	1748
Examiner Name	To be assigned
Attorney Docket Number	UMICORE 0120-US

U. S. PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number-Kind Code <sup>2</sup> (if known)		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 5861222	01-19-1999	FISCHER, et al.
		US- 6309772	10-31-2001	ZUBER, et al.
		US- 6500217	12-31-2002	STARZ, et al.
		US- 6613215	09-02-2003	MOLTER, et al.
		US- 5187025	02-16-1993	KELLAND, et al.
		US- 6245454	06-12-2001	GOCHO, et al.
		US- 5464700	11-07-1995	STECK, et al.
		US- 2003/0057088 A1	03-07-2003	ICHIKAWA MASAO, et al.
		US- 10/564,794	N/A	ZUBER, et al.
		US- 10/564,798	N/A	ZUBER, et al.
		US-		

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)		Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear
		EP 1 289 042 A2	03-05-2003	Honda
		EP 1 289 042 A3	03-06-2005	Honda
		EP 0 951 086 A2	10-20-1999	Matsushita
		EP 0 951 086 A3	10-17-2001	Matsushita
		EP 0 951 086 B1	10-20-1999	Matsushita
		JP 09289028 A JPO Abstr.	11-04-1997	Tanaka

Examiner Signature		Date Considered
--------------------	--	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**Substitute for form 1449/PTQ**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

**(Use as many sheets as necessary)**

Sheet 2 of 3

**Complete if Known**

Application Number	10/699,158
Filing Date	October 30, 2003
First Named Inventor	ZUBER, Ralf
Art Unit	1748
Examiner Name	To be assigned
Attorney Docket Number	UMICORE 0120-US

---

**U. S. PATENT DOCUMENTS**

---

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	FOREIGN PATENT DOCUMENTS		Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Foreign Patent Document	Publication Date MM-DD-YYYY		
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
		JP 11045729 A JPO Abstr.	02-16-1999	Fuji	
		WO 02/27845 A2	04-04-2002	Proton	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. **<sup>1</sup>** Applicant's unique citation designation number (optional). **<sup>2</sup>** See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. **<sup>3</sup>** Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). **<sup>4</sup>** For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. **<sup>5</sup>** Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. **<sup>6</sup>** Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



FEB 02 2007

PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
do a collection of information unless it contains a valid OMB control number.

**Substitute for form 1449/PTO**

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

***(Use as many sheets as necessary)***

Sheet 3 of 3

<i>Complete if Known</i>	
<b>Application Number</b>	<b>10/699,158</b>
<b>Filing Date</b>	<b>October 30, 2003</b>
<b>First Named Inventor</b>	<b>ZUBER, Ralf</b>
<b>Art Unit</b>	<b>1748</b>
<b>Examiner Name</b>	<b>To be assigned</b>
<b>Attorney Docket Number</b>	<b>UMICORE 0120-US</b>

## NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

**\*EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

**If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.**